

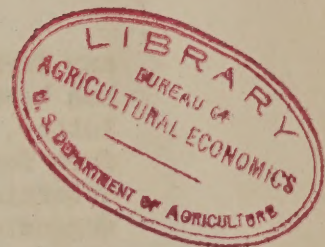
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UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATION
WASHINGTON, D. C.

1941 Agricultural Conservation Program

North Central Region

PROCEDURE FOR NOTIFICATION OF WHEAT ALLOT-
MENTS, YIELDS, PREMIUM RATES, CONSIDERATION
OF APPEALS, AND CORRECTION OF ERRORS FOR
THE 1941 AGRICULTURAL CONSERVATION PROGRAM



PART I - PREPARATION OF NOTIFICATION

Producers shall be notified of wheat allotments, yields, and premium rates on form ACP-116A, "Notice of 1941 Wheat Acreage Allotment, Yield, and Premium Rate." A sufficient number of carbon copies of the notification form shall be prepared so that one may be forwarded to each person having an interest in the crops on the farm, and one may be retained in the farm file in the county office. The original shall be sent to the owner of the farm. The space provided for the operator's name is for the convenience of the county committee. ✓

The wheat allotment, yield, and premium rate will be entered in the appropriate spaces for each farm, except that in non-crop-insurance counties a dash will be entered in the space provided for the premium rate.

The yields determined in crop insurance counties on the 1941 listing sheets will be applicable to crop insurance, parity payments, and the 1941 Agricultural Conservation Program. In the event that wheat crop insurance is requested for a farm in a non-crop-insurance county, the crop insurance yield and the premium rate will be established in accordance with the applicable instructions.

Care should be taken to enter the date that the form is mailed to the producer, in the appropriate space in the paragraph under the heading "Appeals." A thorough check should be made to be certain that the data entered in all of the spaces on the form are correct, and that the county office address is clearly shown immediately beneath the signature of the chairman of the county committee, before the form is mailed to the producer.

Each allotment notification prepared for a 1941 new wheat farm shall have the following statement typed across the bottom of the form:

"It shall be understood that your wheat acreage allotment will be the smaller of
(1) the allotment shown above and
(2) the acreage devoted to wheat on the farm in 1941."

PART II - FARMS HAVING ALLOTMENTS OF LESS THAN 3 ACRES

The notification form will not be prepared and mailed for any farm for which a 1941 wheat allotment of less than three acres has been determined. A letter, similar to the attached suggested letter, shall be prepared and forwarded to the producer for each farm for which an allotment of less than three acres has been determined. If the county committee desires to revise the suggested letter, it is necessary that all of the pertinent provisions be retained in the letter in order that the producer may be informed of the wheat provisions of the program. If the producer requests, within 15 days after the county committee's wheat letter is mailed to him, that the farm be considered as a wheat allotment farm for 1941, the notification form will be prepared and forwarded to persons interested in the operation of the farm, in accordance with the instructions contained in Part I.

PART III - APPEALS AND CORRECTIONS

(a) Eligibility to Appeal - Any person who has an interest in the 1941 wheat crop as owner, operator, or share-cropper, may appeal any recommendation or determination made by the county committee with respect to the wheat allotment, yield, and premium rate. If the appellant is dissatisfied with the decision of the county committee, he may appeal to the State committee; and if he is dissatisfied with the State committee decision, he may appeal to the Director of the North Central Division.

To be eligible for consideration, an appeal must be filed in writing by the appellant or his authorized agent within 15 days after the notification form is forwarded to or available to him. Any appeal to the State committee must be filed within 15 days after the decision of the county committee is issued to the farmer, and any appeal to the Director of the North Central Division must be filed within 15 days after the decision of the State committee is released.

Any person who files an appeal with the county committee shall be notified in writing of the time, date, and place for consideration of his appeal, in order that he may be present and may be heard if he so desires.

(b) Consideration of Appeals by the County Committee - After the notification forms are released, and especially during the appeal period, the county and community committeemen should make every effort to inform farmers of the procedure followed in determining wheat allotments, yields, and premium rates. A satisfactory explanation of these determinations on the part of the committeemen will often convince farmers that their farms have received fair consideration. However, a farmer should not be refused an opportunity to file a written appeal if he desires to do so.

Determinations shall be made with respect to each appeal on the basis of individual merit. The county committee will grant appeals and approve changes only in those cases in which consideration of the appeal shows an error in data, mechanical computations, or committee determinations provided for in NCR-510W and FCI-101W.

If, in a crop insurance county, an appeal is granted with respect to a farm yield, consideration should also be given to the farm premium rate. Any substantial change in either the yield or premium rate may necessitate correction of the other.

When the investigation of an appellant's claim includes a visit to the farm, the person representing the county committee will make a reasonable attempt to interview the appellant.

The county committee shall notify each appellant of its decision by individual letter within 15 days after receipt of the written appeal. However, before the appellant is notified of the decision reached by the county committee, a representative of the State committee will review the appeal with the county committee to determine whether its recommendations are made in accordance with the applicable procedure.

In each case in which a change is made in any allotment, yield, or premium rate, the county committee shall include with such letter a new notification form, ACP-116A, plainly marked "revised." This letter shall set forth a description of the applicable procedure and the reasons for approval or disapproval of

the appeal, and shall state that if the appellant is dissatisfied with the decision of the county committee, he may appeal to the State committee within 15 days. The letter should also state that the decision of the county committee will be reversed only when it is discovered that an error has been made by the county committee in following its instructions. (NOTE: A form letter shall not be used for this purpose.)

(c) Correction of Errors - If a farmer writes to the county committee or calls at the county office and raises a question concerning the allotments, yields, or premium rates established for his farm, and if upon review of the data used in determining the allotments, yields, or premium rates, an error is discovered in the determinations, such a case may be handled as a correction. Corrections may be made only in those instances in which there are errors in (1) the data applicable to the farm or (2) the mechanical computations.

(d) Record of Appeals and Corrections - A record of all corrections and appeals granted by the county committee shall be made by listing the farms for which revisions are made on alternate lines of form FCI-103W in crop insurance counties or form NCR-509W in non-crop-insurance counties. The record shall be headed "Appeals and Corrections." All of the data applicable to a farm for which an appeal is granted or for which a correction is made, shall be listed on this record. In a convenient column, the applicable word "appeal" or "correction" will be entered for each farm. For each case listed, the revision or correction shall be indicated by striking through the original entry and inserting the revised entry immediately above. The data for those farms for which appeals are refused by the county committee will not be listed on the "Appeals and Corrections" record in the county office.

For each appeal or correction approved by the county committee, a brief, concise statement of the facts considered in making the change shall be written immediately below the line on which the data are listed in the "Appeals and Corrections" record. A member of the county committee shall certify on the last sheet of the record as follows:

In view of the facts stated in each case, the
county committee of _____ County recommends
that the changes listed above be approved.

Signed: _____
Member, County Committee

Approved: _____
Representative, State Committee

For each appeal considered by the county committee, including those not granted, a copy of the appeal letter and of the county committee's reply should be filed in the county office.

The "Appeals and Corrections" record shall be transmitted to the State office immediately after the 15-day appeal period has passed and a representative of the State committee has approved the determinations made by the county committee. All appeals or corrections received and approved after that time will be transmitted to the State office as of the closing date for completion of farm plans and crop insurance applications in the county.

If an error in a county committee determination is discovered in the State office, the record will be corrected and the county committee will be advised to forward a "revised" notification form, ACP-116A, to the persons interested in the farm.

In case of revisions of wheat yields, if a sufficient number occur to cause the county average yield to differ from the county check yield, it will be necessary to scale the yields of individual farms to the proper yield. If the weighted average of the farm yields is such that it will round to the county check yield, it will not be necessary to apply a factor.

In regard to revisions of premium rates, if a sufficient number occur to cause the county average of the premium rates to differ from the check premium rate by 0.01 of a bushel or more, it will be necessary to scale the premium rates for individual farms. If the difference is less than 0.01 of a bushel, it will not be necessary to apply a factor.

(e) Consideration of Appeals by the State Committee - The State committee will examine the record of appeals and corrections submitted by the county office and will consider appeals filed by appellants who are dissatisfied with the decisions made by the county committees. The State committee will notify the county committee in writing of its approval or disapproval of the action taken by the county committee in all cases except those in which the appeal is renewed with the State committee by the appellant.

In consideration of appeals submitted to it, the State committee will reverse the decision of the county committee only when it is determined that the county committee has not properly applied the procedure. The appeals so granted by the State committee shall be recorded on the proper "Appeals and Corrections" record previously prepared in the county office. A statement of facts will be shown for each of these appeals, as in the case of an appeal granted by the county committee.

Regardless of the decision made, the State committee shall notify each appellant of its decision. In the case of an appeal which is granted, the State committee shall instruct the county committee to prepare and forward a "revised" notification form, ACP-116A, to the persons interested in the farm.

After the appeals granted by the State committee and any late corrections made by the county or State committees have been listed on the "Appeals and Corrections" records previously submitted by the county committees, the State committee shall forward the completed "Appeals and Corrections" records to the branch office of the Corporation for approval and photostating. However, such approval may be made in the State office by a representative of the Corporation before the records are transmitted if it is convenient to do so.

After photostatic copies of the records have been made, the original and one copy will be returned to the State office. The original will be returned from the State office to the county office. All revisions made as a result of appeals and corrections will then be transferred to the respective listing sheets, NCR-509W or FCI-103W, in the State office and the county office.

In the case of non-crop-insurance counties, the "Appeals and Corrections" record, NCR-509W, will be reproduced by ozalid process in the State office instead of being forwarded to the Corporation branch office.

(f) Appeals from State Committee Decision - If an appellant is dissatisfied with the decision of the county and State committees and renews his appeal with the Director of the North Central Division within 15 days after notice of the State committee's decision, the State committee shall forward upon request to the Director of the North Central Division, one copy of each of the following:

1. Appeal to the county committee.
2. County committee's reply to appellant.
3. Appeal to the State committee.
4. State committee's reply to appellant.
5. Report of any representative of the State committee who is familiar with the case.
6. "Record of Appeal," which shall be a copy of the data shown on the listing sheet for the farm.
7. Any other pertinent correspondence or records.

The State and county committees will be notified of the decision of the Director on each appeal.

Dear Wheat Grower:

In past agricultural conservation programs many producers who received wheat allotments of less than 3 acres have requested the non-wheat allotment option. For purposes of the 1941 Farm Program it has been determined that any farm having a 1941 wheat allotment of less than 3 acres, automatically will be considered as a non-wheat allotment farm.

The 1941 wheat allotment determined for your farm is less than 3 acres; therefore, your farm will be considered a non-wheat allotment farm in the 1941 Farm Program, unless you request the county committee, within 15 days from the date of this letter, to consider the farm as a wheat allotment farm.

If such request is not received by the county committee within the specified time, your farm will be considered a non-wheat allotment farm and you may harvest wheat from not more than 10 acres without incurring a deduction at the wheat rate from your farm payment. However, you will not be eligible for a wheat parity payment or a wheat loan.

If you request that your farm be considered a wheat allotment farm, the provisions pertaining to the regular wheat allotment farms will become applicable and it will be necessary for you to seed wheat within the acreage allotment, even though it is less than 3 acres, or receive a deduction at the wheat rate from your farm payment.

Very truly yours,

Chairman, _____ County Agri-
cultural Conservation Committee.

(Date)

(Address)

